

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE**

**MINUTES**

**JULY 31, 2012**

The scheduled meeting of the **Public Safety and Legal Administration Committee** was held on **Tuesday, July 31, 2012 at 3:05 p.m., in Committee Room #2.** The following members were present:

**The Honorable Michael J. Bond, Chair  
The Honorable H. Lamar Willis, Vice-Chair  
The Honorable Alex Wan  
The Honorable Ivory L. Young, Jr.  
The Honorable Cleta Winslow  
The Honorable Joyce Sheperd**

The following member was absent:

**The Honorable C. T. Martin**

Others present at the meeting were: Deputy City Attorney, Eric Richardson, Amber Robinson, Claude Cole, Law Department; Chief George Turner, Deputy Chief Shawn Jones, Police Department; Deputy Chief, Michael Simmons, Atlanta Fire and Rescue; Jim Beard, CFO; John Gaffney, Office of Finance; City Auditor Leslie Ward; media, public and council staff.

Chairman Bond called the meeting to order at 3:05 p.m. after declaring a quorum present. He then proceeded with the following order of business:

- A. ADOPTION OF AGENDA - ADOPTED AS AMENDED, to add one favorable claim**
- B. APPROVAL OF MINUTES - APPROVED**
- C. STATUS UPDATE**  
Atlanta Police Department Audit Report - City Auditor Leslie Ward

**CONSENT**

**D. RESOLUTIONS**

**Claims with favorable recommendations:**

- 12-R-1011 ( 1)      Claim of **State Farm Insurance Company, as subrogee of Alice E. Taylor (DPW/07)**, for property damages alleged to have been sustained from an automobile accident on July 11, 2011 at Brookwood Drive and East Wesley Road.  
**\$11,500.00**
- 12-R-1012 ( 2)      Claim of **Progressive Insurance Company, as subrogee of Martha Lukes (DPW/04)**, for property damage sustained as a result of a vehicular accident on December 5, 2011 at Interstate 20 West at Joseph E. Lowery Boulevard.  
**\$6,291.91**
- 12-R-1013 ( 3)      Claim of **Alice Simmons, through her attorney, Elissa Blache, Esq., Foy and Associates (AFR/04)**, for bodily injury alleged to have been sustained from an automobile accident on December 31, 2011 at 2315 Cascade Road, SW.  
**\$5,600.00**
- 12-R-1014 ( 4)      Claim of **Esurance Property and Casualty Insurance Company, as subrogee of Normany, Parham (APD/09)**, for property damage alleged to have been sustained from an automobile accident on July 26, 2011 at 662 Commercial Avenue.  
**\$5,123.47**
- 12-R-1015 ( 5)      Claim of **Jason Simmons, through his attorney, Elissa Blache, Esq., Foy and Associates (AFR/04)**, for bodily injury alleged to have been sustained from an automobile accident on December 31, 2011 at 2315 Cascade Road, SW.  
**\$4,100.00**
- 12-R-1016 ( 6)      Claim of **Nathaniel Boston, a minor, through his attorney, Elissa Blache, Esq., Foy and Associates (AFR/04)**, for bodily injury alleged to have been sustained from an automobile accident on December 31, 2011 at 2315 Cascade Road, SW.  
**\$3,100.00**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 12-R-1017 ( 7)      Claim of **Clint A. Wilson, through his attorney, Morgan and Morgan (APD/09)**, for bodily injury alleged to have been sustained from an automobile accident on July 26, 2011 at 662 Commercial Avenue, NW. **\$3,000.00**
- 12-R-1018 ( 8)      Claim of **Craig Dobrin (DWM/04)**, for property damage alleged to have been sustained from a construction cut on January 28, 2012 at 1495 Mount Paran Road. **\$2,240.00**
- 12-R-1019 ( 9)      Claim of **Sarah C. Reinhold (APD/NA)**, for property damage alleged to have been sustained from an automobile accident on December 26, 2011 at 6000 North Terminal Parkway. **\$1,976.87**
- 12-R-1020 (10)      Claim of **Martin E. Lewis, Jr. (DPW/02)**, for property damage alleged to have been sustained from an automobile accident on May 1, 2012 at 214 Martin Luther King, Jr. Drive. **\$1,835.20**
- 12-R-1021 (11)      Claim of **Gary Drudge (AFR/04)**, for property damage alleged to have been sustained from an automobile accident on August 28, 2011 at 1022 Ashby Grove. **\$1,203.12**
- 12-R-1022 (12)      Claim of **Nefretiria Williams (DWM/05)**, for personal injury sustained as a result of walking into an uncovered water meter box on February 3, 2012 at 2690 Alston Drive. **\$1,200.00**
- 12-R-1023 (13)      Claim of **Leslie M. Dees (DPRCA/08)**, for property damage alleged to have been sustained to landscaping during a tree removal project on August 4, 2011 at 2103 Springlake Drive, NW. **\$1,185.00**
- 12-R-1024 (14)      Claim of **Scott P. Joyce (DWM/04)**, for property damage alleged to have been sustained from a construction cut on January 27, 2012 at 1495 Mount Paran Roan. **\$986.08**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 12-R-1025 (15) Claim of **Tyronn Andrews (DPW/06)**, for property damage alleged to have been sustained from driving over a deteriorated sidewalk and curb on August 8, 2011 at 728 Monroe Drive. **\$800.00**
- 12-R-1026 (16) Claim of **Martha Perkins (DWM/09)**, for vehicular damages alleged to have been sustained from a water valve on April 3, 2012 at 2121 Defoors Ferry Road. **\$654.52**
- 12-R-1039 (17) Claim of **Fombanga Tita (DPW/01)**, for property damages  
\*\*\* alleged to have been sustained from an automobile accident on July 10, 2012 at 1230 Woodland Avenue. **\$3,225.00**

**Claims with unfavorable recommendations:**

- 12-R-1027 (17) Claim of **Claudine Davis (DWM/04)**, for property damage sustained as a result of a vehicular accident on December 19, 2011 at Peters Street at McDaniel Street.
- 12-R-1028 (18) Claim of **Tonya Gonzalez (DPW/02)**, for property damage sustained as a result of a vehicular accident on January 7, 2012 at 97 Simpson Street.
- 12-R-1029 (19) Claim of **Ali Akbar Khanmohamadi-Hezave and Mojgan Khalilifard (DWM/07)**, for property damage alleged to have been sustained due to a water main break on November 23, 2011 at 2266 Stephen Long Drive.
- 12-R-1030 (20) Claim of **Therese Natty (JUD/02)**, for damage alleged to have been sustained as a result of being detained at the Atlanta Detention Center on February 8, 2011 at 254 Peachtree Street.
- 12-R-1031 (21) Claim of **Therese Natty (JUD/02)**, for damage alleged to have been sustained as a result of being detained at the Atlanta Detention Center on March 11, 2011 at 254 Peachtree Street.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 12-R-1032 (22) Claim of **Therese Natty (JUD/02)**, for damage alleged to have been sustained as a result of being detained at the Atlanta Detention Center on March 31, 2011 at 254 Peachtree Street.
- 12-R-1033 (23) Claim of **Therese Natty (JUD/02)**, for damage alleged to have been sustained as a result of being detained at the Atlanta Detention Center on April 12, 2011 at 254 Peachtree Street.
- 12-R-1034 (24) Claim of **Ehsan Razavi, through his attorney, Yinka T. Omole & Associates (APD/02)**, for personal injury and property damage alleged to have been sustained on July 23, 2011 at 3414 Peachtree Street.
- 12-R-1035 (25) Claim of **Paula Weatherspoon (APD/03)**, for damage alleged to have been sustained on October 25, 2010 at 2130 Tiger Flowers Drive, NW.  
**(Councilmember Martin made a motion to approve Items D1-D25)**

**FAVORABLE**

**E. ORDINANCE FOR FIRST READING**

- 12-R-1038 ( 1) An Ordinance by the Public Safety and Legal Administration Committee authorizing the Chief Financial Officer to create two new Trust Accounts for the transfer and/or deposit of funds currently being maintained in separate "Off the Books" Bank Accounts Maintained and Controlled by the Atlanta Police Department; to waive conflicting Ordinances and Code Sections; and for other purposes.

**TO BE REFERRED AS DETERMINED BY THE CITY COUNCIL PRESIDENT**

**REGULAR**

**F. COMMUNICATION**

- 12-C-0973 ( 1) A Communication by Mayor Kasim Reed appointing **Ms. Labriah D. Lee** to serve as a member of the Atlanta Citizen Review Board on behalf of the City of Atlanta. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.  
**(Councilmember Willis made a motion to approve)**

**FAVORABLE – REFERRED TO COMMITTEE ON COUNCIL**

**G. ORDINANCES FOR SECOND READING**

- 12-O-1001 ( 1) An Ordinance by Councilmember Kwanza Hall to amend Article V-Vehicle Immobilization Services of the City of Atlanta Code of Ordinances; and for other purposes.  
**(Councilmember Bond made a motion to hold at the Author's request)**

**HELD**

- 12-O-1003 (2) An Ordinance by Councilman Alex Wan to amend Chapter 10 (Alcoholic Beverages), Article II (Dealers and Manufacturers), Division 5 (Operational Rules), Section 10-209 (a) and (b) (Hours Of Operation), of the Code of Ordinances of the City of Atlanta, Georgia, so as to reflect the allowance of packaged alcohol sales on Sunday as the result of a referendum held and approved on November 8, 2011; to waive conflicting Ordinances and Code Sections; and for other purposes.  
**(Councilmember Wan made a motion to approve)**

**FAVORABLE**

**ORDINANCES FOR SECOND READING (CONT'D)**

- 12-O-1004 ( 3)     An Ordinance by Councilmember Michael J. Bond amending Part II ("General Ordinances"), Chapter 43 ("Commercial Solicitation"), Section 43-1 Subparagraph (f) ("Penalties"). Subsection (3) ("Third Violation, and Subsequent Violations") of the Code of Ordinances of the City of Atlanta, such that individuals convicted of a third violation for aggressive solicitations shall receive a sentence of 180 days to be served in the City of Atlanta Detention Center; and for other purposes.

**(Councilmember Bond made a motion to hold for a Work Session Thursday, August 23, 2012 at 10:00 a.m. in Committee Room#2)**

**HELD**

- 12-O-1007 ( 4)     An Ordinance by Councilman C. T. Martin To Waive The Provisions Of Chapter 10, Article II, Section 10-209 (c) And (d) of the Code of Ordinances of the City of Atlanta, Georgia so as to modify the Hours of Operation on Monday, September 3, 2012 (Labor Day), only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.

**(Councilmember Wan made a motion to approve)**

**FAVORABLE**

**H.    PAPERS HELD IN COMMITTEE**

- 10-R-0137 ( 1)     A Resolution by Councilmembers Natalyn M. Archibong and C. T. Martin requesting that City Council authorize a Forensic Audit should be conducted as a result of the findings and recommendations from the Audit Report of the Public Safety Facilities Construction and the Sale of City Hall East; and for other purposes. **(Held 1/12/10 for a Joint Work Session with Finance/Executive Committee and Committee on Council) (Work Session held 2/3/10)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 10-O-0397 ( 2)     An Ordinance by Councilmember H. Lamar Willis **as substituted by Public Safety and Legal Administration Committee** amending Section 162-227 and Section 162-232 of the City of Atlanta Code of Ordinances so as to establish fees for the administrative costs associated with nonconsensual motor vehicle towing; and for other purposes. **(Public Hearing held 4/27/10) (Substituted and held 4/27/10 for further evaluation and review)**

**HELD**

- 10-O-0399 ( 3)     An Ordinance by Councilmember Ivory L. Young, Jr. to amend Article XXIII, ("Vending on Public Property") of Chapter 30, ("Businesses"), Section 30-1436 ("Disabled Veterans"), of the Code of Ordinances of the City of Atlanta, Georgia, so as to expressly exempt Disabled Veterans from participation in the Public Vending Management Program; and for other purposes. **(Held 2/23/10 for further review)**

**HELD**

- 10-O-0728 ( 4)     An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 30, Article VIII, of the City of Atlanta Code of Ordinances to clearly distinguish between legitimate Escorts holding permits issued by the City of Atlanta under its police powers, and persons who perform Criminal Acts as determined by State Law; and for other purposes. **(Held 5/11/10 for further review)**

**HELD**

- 10-R-0855 ( 5)     Claim of **Ron Tusso**, for damages alleged to have been sustained as a result of a sewer backup on November 10, 2009 at 1850 Memorial Drive. **(Held 5/11/10 for further review by the Law Department)**

**HELD**



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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 10-O-1173 ( 6)     An Ordinance by Councilmembers Ivory L. Young, Jr. and C. T. Martin imposing a Ninety (90) Day Moratorium on the City's Public Property Vending Program; to create a subcommittee to study and review the operation of the Public Property Vending Program; to waive conflicting ordinances; and for other purposes. **(Referred back from Council 7/19/10) (Held 7/27/10 for further review)**

**HELD**

- 10-O-1342 ( 7)     An Ordinance by Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, C. T. Martin, Felicia A. Moore and Ivory L. Young, Jr. to amend Chapter 10, Article II, Division 3 of the Code of Ordinances of the City of Atlanta, Georgia by creating a new Section 10-130 to be entitled "Extended Hours Permit Pilot Program"; to temporarily waive the provisions of Chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances in the Edgewood Avenue/Auburn Avenue District of the City so as to allow for a Pilot Program to examine the impact of extending the permissible hours for establishments authorized to sell alcoholic beverages for on-premises consumption; to define the boundaries of the Edgewood Avenue/Auburn Avenue District; to waive conflicting ordinances for this instance only; and for other purposes. **(Held 7/13/10 for further discussion)**

**HELD**

- 10-R-1343 ( 8)     A Resolution by Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, Felicia A. Moore, Joyce Sheperd, Ivory L. Young, Jr., Natalyn M. Archibong and Carla Smith **as amended by Public Safety and Legal Administration Committee** to establish a Task Force to review the Alcoholic Beverage Licensing Process generally, from application to License Review Board consideration and to the enforcement of Alcoholic Beverage Laws, Ordinances and Regulations; to authorize the Public Safety and Legal Administration Committee to determine the membership structure of the Task Force; and for other purposes. **(Amended and held 7/13/10 for further discussion)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 10-R-1813 ( 9)      A Resolution by Councilmember Michael J. Bond requesting the Atlanta Police Department (APD) to study the feasibility of increasing the collaboration with the Atlanta Public Schools (APS) Security Operations; and for other purposes. **(Held 10/12/10 at the request of the author)**

**HELD**

- 10-O-1880 (10)      An Ordinance by Councilmembers Kwanza Hall, Aaron Watson, H. Lamar Willis, Michael J. Bond, Natalyn Archibong, Keisha Lance Bottoms, Alex Wan and Carla Smith authorizing the operation of Human-Drawn Vehicles (Pedicabs) within the City of Atlanta; to establish requirements and regulations for such program; and for other purposes. **(Held 10/26/10 for further review at the request of the author)**

**HELD**

- 10-O-2228 (11)      An Ordinance by Councilmember H. Lamar Willis **as amended #2 by Public Safety and Legal Administration Committee** amending the City of Atlanta Code of Ordinances so as to add a new Section 2-1719, prohibition against the use of cell phones by City Employees while operating a vehicle in the performance of city business; and for other purposes. **(Councilmember Willis made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

- 11-R-0772 (12)      A Resolution by Councilmembers Michael J. Bond and Ivory Lee Young, Jr. to amend the Contract with U. K. - LaSalle LLC, (an entity affiliated with General Growth Properties, Inc.) for the Administration and Management of the Public Vending Program, so as to grant a first right of refusal to vendors who currently hold vending permits or who formerly held vending permits as of November 21, 2001, for vending locations around Turner Field; and for other purposes. **(Held 5/10/11 for further discussions)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 11-R-0929 (13) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or his designee to exercise renewal options with Wrecker Service Vendors listed on Contract FC-6008000003 ("Contract"), for Wrecker Services for vehicles under two (2) tons, on behalf of the Department of Police, all revenues generated under this contract shall be deposited as described in this resolution; and for other purposes. **(Referred back by Full Council 10/3/11) (Held 10/11/11 for further review)**

**HELD**

- 11-O-0996 (14) An Ordinance by Councilmembers Felicia A. Moore, Natalyn Archibong, Joyce Sheperd, Michael J. Bond, Yolanda Adrean, Kwanza Hall and Alex Wan to amend Section 62-27.1 of the Code of Ordinances of the City of Atlanta, Georgia, so as to decrease the number of Municipal Court Judges from ten (10) to eight (8); to waive conflicting ordinances and code sections; and for other purposes. **(Referred back by Full Council 7/5/11) (Held 7/11/11 for further review)**

**HELD**

- 11-O-1479 (15) An Ordinance by Councilmember Michael J. Bond to amend Chapter 10, (Alcoholic Beverages) of the City of Atlanta Code of Ordinances to provide for the regulation of package and convenience stores; and for other purposes. **(Held 10/11/11 at the author's request)**

**HELD**

- 12-O-0375 (16) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 70, Article II of the Code of Ordinances of the City of Atlanta, Georgia, entitled "Burglar or Robbery Alarm Systems," for the purpose of regulating Burglary and Robbery Alarm Systems within the City of Atlanta in order to reduce the number of false alarms within the City of Atlanta through more efficient regulation of such alarm systems; to waive conflicting ordinances; and for other purposes. **(Held 5/1/12 for further review)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 12-O-0488 (17) An Ordinance by Councilmember Michael J. Bond as substituted by Public Safety and Legal Administration Committee to repurpose General Fund Revenue from City Cell Tower Leases for the Atlanta Police Department Shot Spotter Program; and for other purposes. **(Held 5/1/12 for further review) (Substituted and held 5/15/12)**

**HELD**

- 12-R-0670 (18) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or his designee to enter into and execute an "Agreement" between the City of Atlanta and Sandy Springs, Georgia for the purpose of providing Automatic and Mutual Aid for emergency and non-emergency responses and the lease for usage of the City of Atlanta's Fire Station 39 by the City of Sandy Springs Fire Department; and for other purposes. **(Held 5/15/12 at the Department request)**

**HELD**

- 12-O-0693 (19) An Ordinance by Councilmembers Michael J. Bond, Natalyn M. Archibong, H. Lamar Willis, C. T. Martin, Kwanza Hall, Keisha Lance Bottom, Carla Smith, Howard Shook, Felicia A. Moore, Aaron Watson, Alex Wan, Joyce Sheperd and Yolanda Adrean amending the Code of Ordinances of the City of Atlanta Part II ("General Ordinances"), Chapter 106 ("Offenses and Miscellaneous Provisions"), Article IV (Offenses Against Public Morals"), Division 3 ("Drugs and Other Controlled Substances") by adding a new section prohibiting the use, sale or delivery of certain dangerous substances, sold and marketed as incense, potpourri or novelty aromatics affecting the public health, safety and welfare of the Citizens of Atlanta and providing for a penalty for violation; and for other purposes. **(Held 5/15/12 for further review)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 12-O-0774 (20) An Ordinance by Public Safety and Legal Administration Committee amending the City of Atlanta Noise Control Ordinance as set forth in Chapter 74, Article IV, Sec. 74-129 et seq. so that those sections shall read as set forth herein and adding certain new sections to the Noise Control Ordinance; and for other purposes. **(Held 6/12/12 at the request of the Law Department)**

**HELD**

- 12-O-0781 (21) An Ordinance by Councilmember Michael Julian Bond authorizing the Department of Corrections to discontinue 12-Hour Work Shifts and restore Eight-Hour Work Shifts for Corrections Officers defined as Law Enforcement Employees in the Code of Federal Regulations; and for other purposes. **(Held 5/29/12 for further review)**

**HELD**

- 12-R-0888 (22) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a new Lease Agreement with the Vine City Plaza I, LLC, for the rental of 1707 square feet of office space located at 612 Magnolia Street, Atlanta, Georgia, for the Department of Police Zone One Investigations Mini Precinct, from the period of September 1, 2012, until August 31, 2015, at a rental rate of \$1.00 for the year, to be charged to and paid from Fund, Account and Center Number listed; and for other purposes. **(Referred back from Full Council 7/2/12) (Held 7/10/12 at the request of Councilmember Young for further review)**

**HELD**

- 12-O-0900 (23) An Ordinance by Councilmembers Felicia A. Moore and Natalyn M. Archibong to amend Chapter 18, Article III (Animal Control) of the City of Atlanta Code of Ordinances by activating Code Sections 18-70 and 18-131 (Both Being Currently Reserved) so as to make unlawful the use of "Bullhooks" or other similar devices on elephants; to waive conflicting ordinances; and for other purposes. **(Held 6/26/12 at the request of the Author)**

**HELD**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 12-R-0932 (24) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or his designee to enter into a Contract Agreement with Qumpus, Incorporation, D/B/A Better World Books (BWB) on behalf of the Department of Fire Rescue for the purpose of installing used books donation bins (Drop Boxes) on the properties of selected Atlanta Fire Stations; and for other purposes. **(Held 7/10/12 for further review) (Held 7/31/12 for Law Department review)**

**HELD**

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**There being no further business to come before the Committee, the meeting was adjourned at 6:21 p.m.**

**Respectfully Submitted:**



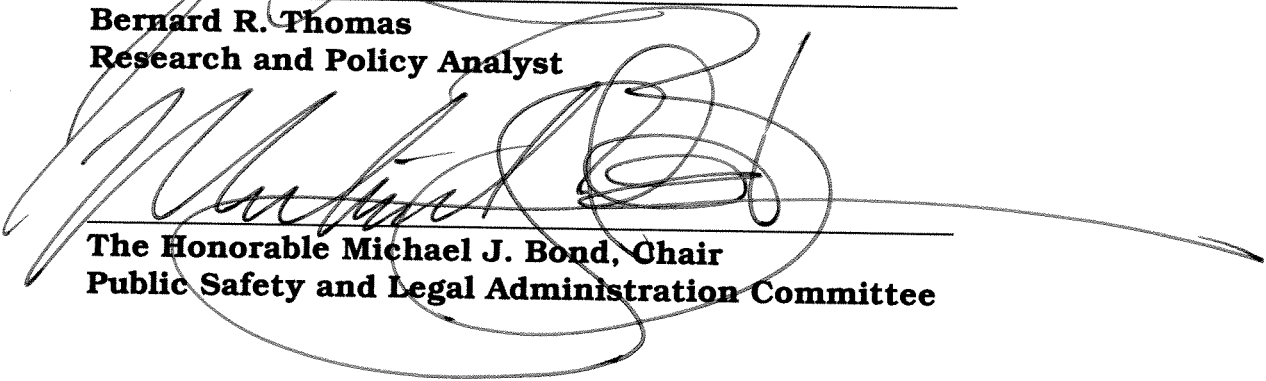
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**Fredrica Cooper**  
**Legislative Assistant**



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**Bernard R. Thomas**  
**Research and Policy Analyst**



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**The Honorable Michael J. Bond, Chair**  
**Public Safety and Legal Administration Committee**